

WHEREAS, the Court issued a Scheduling Order in this matter on May 23, 2023 (Dkt. 30) which, among other items, set a fact discovery cutoff of October 6, 2023 and an expert disclosure deadline of November 6, 2023;

WHEREAS, following the issuance of the Scheduling Order, the matter was transferred on September 13, 2023 pursuant to Amended Local Rule 120 and reassigned to District Judge Dale A. Drozd and Magistrate Judge Deborah Barnes (Dkt. 42);

WHEREAS, Plaintiff Darren Gilbert (“Plaintiff”) has filed a motion for default judgment against defaulted defendant De Aranjah Inc. dba Valero Grip & Go (“De Aranjah”) which is scheduled to be heard on November 17, 2023 (see Dkt. 44);

WHEREAS, Plaintiff and the remaining defendant, Gill McHenry Inc. (“Gill McHenry,” and together with Plaintiff, the “Parties”), wish to conserve Court resources and limit the expenditure of attorney’s fees and costs that will be incurred through fact and expert discovery while awaiting the results of Plaintiff’s motion for default judgment against De Aranjah, which will inform the scope of necessary discovery;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Parties, through their respective attorneys of record, that the Scheduling Order be modified as follows:

	<u>Current Date</u>	<u>New Date</u>
Non-expert discovery cut-off	10/6/2023	3/29/2024
Expert disclosures	11/6/2023	4/29/2024
Rebuttal expert disclosure	12/6/2023	5/29/2024
Expert discovery cut-off	1/5/2024	6/28/2024
Dispositive motion filing deadline	2/20/2024	8/9/2024
Mid-Discovery Conference	11/13/2023 at 10:30 a.m.	5/13/2024 at 10:30 a.m.
Pretrial Conference	6/17/2024 at 1:30 p.m.	11/18/2024 at 1:30 p.m.
Jury Trial	8/20/2024 at 8:30 a.m.	1/13/2025 at 9:00 a.m.

STIPULATION TO MODIFY SCHEDULING ORDER;
ORDER

1 **IT IS SO STIPULATED.**

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3 Dated: September 28, 2023

MOORE LAW FIRM, P.C.

4 /s/ Tanya E. Moore

Tanya E. Moore

5 Attorney for Plaintiff,

6 Darren Gilbert

7 Dated: September 28, 2023

LAW OFFICES OF MAYOL &

8 BARRINGER, LLP

9 /s/ Nicholas J. Loncarich

10 W. Bart Barringer

Nicholas J. Loncarich

11 Attorneys for Defendant/Cross-Claimant,

12 Gill McHenry, Inc.

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STIPULATION TO MODIFY SCHEDULING ORDER;
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The Parties having so stipulated and good cause appearing,

IT IS HEREBY ORDERED that the Scheduling Order in this matter is modified as follows:

	<u>Current Date</u>	<u>New Date</u>
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Jury Trial	8/20/2024 at 8:30 a.m.	1/13/2025 at 9:00 a.m.

IT IS SO ORDERED.

DATED: September 29, 2023

/s/ DEBORAH BARNES

UNITED STATES MAGISTRATE JUDGE

STIPULATION TO MODIFY SCHEDULING ORDER;
ORDER